

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

GARY E. MAYNARD AND SHERRI
MAYNARD,
Debtors.

CHAPTER 7
CASE NO. 16-10431-BAH

MICHAEL S. ASKENAIZER, CHAPTER 7
TRUSTEE OF GARY E. MAYNARD AND
SHERRI L. MAYNARD,

A.P. No. 16-01060

Plaintiff,

v.

FREEDOM MORTGAGE CORPORATION,

Hearing Date: November 16, 2016
Hearing Time: 1:30 p.m.

Defendant.

CHAPTER 7 TRUSTEE'S MOTION FOR DEFAULT JUDGMENT

Michael S. Askenaizer, the Chapter 7 Trustee of the estate of the above captioned debtors' bankruptcy estate (the "Plaintiff"), requests that a Default Judgment be issued against the defendant Freedom Mortgage Corporation (the "Defendant"). The undersigned states upon personal knowledge and information the following:

1. In accordance with the Default entered on October 14, 2016, the Plaintiff seeks an Order of the Court ordering that: (i) pursuant to 11 U.S.C. § 544(a), the Plaintiff has avoided the mortgage of the Defendant on the real property known as 29 Melody Lane, Hillsborough, New Hampshire ("Mortgage") and (ii) pursuant to 11 U.S.C. § 551, the Plaintiff has preserved the avoided Mortgage for the benefit of the bankruptcy estate.

2. Upon information and belief, the Defendant is not an infant or incompetent person.

3. Upon information and belief, the Defendant is not in the military service of the United States or its Allies, defined in the Soldiers' and Sailors' Act of 1940, as amended.

Subscribed this 18th day of October, 2016 under the penalties of perjury.

Respectfully submitted,
MICHAEL S. ASKENAIZER, CHAPTER 7
TRUSTEE.
By his attorneys,

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